

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

29426-29450

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 23, 1938]

**29426. Adulteration and misbranding of gauze bandages and absorbent cotton. U. S. v. 42 Cartons of Gauze Bandages and 35 Packages of Absorbent Cotton. Default decrees of condemnation and destruction. (F. & D. Nos. 42449, 42997. Sample Nos. 1783-D, 18954-D.)**

Samples of these products were found to be unsterile.

On May 26 and June 29, 1938, the United States attorneys for the Northern District of Texas and the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 42 cartons of gauze bandages at Dallas, Tex., and 35 packages of absorbent cotton at Los Angeles, Calif.; alleging that the articles had been shipped in interstate commerce on or about June 5, 1937, and April 6, 1938, from New Rochelle, N. Y., by the American White Cross Laboratories; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The articles were alleged to be adulterated in that their purity fell below the professed standard or quality under which they were sold.

The gauze bandages were alleged to be misbranded in that the designation on the carton, "Hospital Bandage," a picture depicting a surgeon, and the statement, "This bandage is prepared under the most sanitary and scientific conditions Absolute satisfaction guaranteed," borne on the label, were false and misleading for the reason that such bandages were not prepared under the most sanitary and scientific conditions and were not sterile, but were contaminated with viable aerobic and anaerobic or facultative anaerobic micro-organisms.

The absorbent cotton was alleged to be misbranded in that the statement on the label, "Sterilized \* \* \* Clinic Absorbent Cotton," was false and misleading when applied to an article that was not sterile but was contaminated with micro-organisms and that was not suitable for use in clinics.

On July 5 and July 26, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**29427. Adulteration and misbranding of rubber prophylactics. U. S. v. 145 Gross of Rubber Prophylactics, et al. Default decrees of condemnation and destruction. (F. & D. Nos. 42924, 42933. Sample Nos. 14568-D to 14571-D, incl., 14574-D.)**

Samples of this product were found to be defective in that they contained holes.

One June 15 and 16, 1938, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the district court two libels praying seizure and condemnation of 285¼ gross of rubber prophylactics at Boston, Mass.; alleging that the article had been shipped in interstate commerce on May 23, 25, and 26, 1938, from New York, N. Y., by Mayfair Chemical Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pro-Tek," "Gold Town," "Silver Town," or "Royal Crown."

It was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold.